

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS

Appellants:	Judd	Response to Notice of Non-compliant Brief
Serial No.	10/782,519	
Filing Date	2/18/2004	
Group Art Unit	4712	
Examiner	JAKOVAC, RYAN J	
Attorney Docket No.	H0006282-5435	
Title: SYSTEMS AND METHOD FOR ENCODING AND DECODING DATA MESSAGES		

REMARKS

The Office communication mailed on 7/06/2009 indicated that the Appeal Brief filed on 5/27/2009 was non-compliant with the provisions of 37 CFR 41.37(c)(1)(vii) because “the first heading in the Argument’s section reads ‘102’, however, the Grouds reads ‘103’.” Appellant notes that MPEP § 1205.03 states “The examiner should not require a corrected brief for minor non-compliance in an appeal brief (e.g., the brief has a minor error in the title of a section heading).” However, in order to comply with the notice mailed on 7/06/2009, Appellant is submitting herewith an amended Appeal Brief to correct the typographical error in the title of section 8(A). In particular, the title under section 8(A) now reads “Rejections of claims 1-39 under 35 U.S.C. §103(a).” The amended Appeal Brief is now in compliance with the provisions of 37 CFR 41.37(c)(1)(vii).

Respectfully submitted,

/David N. Fogg/

David Fogg
Reg. No. 35,138

Date: July 21, 2009

Attorneys for Appellant
Fogg & Powers LLC
P.O. Box 581339
Minneapolis, MN 55458-1339
T 612 332-4720
F 612 332-4731